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TELESOFT CAPITAL, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

13 SECURITIES AND EXCHANGE
COMMISSION,

Case No. 3:16-cv-01386-EMC

Plaintiff,

**STIPULATION AND [PROPOSED] ORDER
GRANTING NON-PARTY TELESOFT
CAPITAL, LLC'S ADMINISTRATIVE
MOTION TO REQUEST NOTICE AND AN
OPPORTUNITY TO BE HEARD**

16 || V.

Judge: Hon. Edward Chen

17 JOHN V. BIVONA; SADDLE RIVER
18 ADVISORS LLC; SRA MANAGEMENT
LLC; FRANK GREGORY MAZZOLA,

Defendants, and

SRA I LLC; SRA II LLC; SRA III LLC;
FELIX INVESTMENTRS, LLC; MICHELE
J. MAZZOLA; ANNE BIVONA; CLEAR
SAILING GROUP IV LLC; CLEAR
SAILING GROUP V LLC,

Relief Defendants.

1 WHEREAS, on October 11, 2016, the Court entered an order for appointment of Receiver
2 in the above-captioned action (“Receiver Order”, Dkt. #142);

3 WHEREAS, before the Court is an administrative motion to confirm that non-party
4 TeleSoft Capital, LLC (the “Non-Party”) is entitled to notice and an opportunity to be heard
5 before the Receiver approves, negotiates for the sale or transfers pre-IPO shares of Palantir
6 Technologies, Inc. (“Palantir”), pursuant to Sections IX and XIV of the Receiver Order (the
7 “Motion”);

8 WHEREAS, Plaintiff and the Receiver do not take any position on the representations
9 made in Non-Party’s Motion;

10 NOW, THEREFORE, Plaintiff, the Receiver and Non-Party, by and through their
11 undersigned counsel, hereby agree and stipulate as follows:

12 1. If the Receiver requests the Court’s approval for sales of Palantir shares from the
13 Set-Aside Fund, Non-Party is entitled to two-weeks expedited notice, with any opposition by
14 Non-Party due in writing five court days after the Receiver’s expedited motion;

15 2. In accordance with this Order, the Clerk shall add Non-Party’s undersigned
16 counsel to an ECF user in the above-captioned action.

17 **Respectfully Submitted,**

18 Dated: October 19, 2016

19 COOLEY LLP
20 PATRICK E. GIBBS
21 ALLISON S. DAVIDSON

22

/s/ Patrick E. Gibbs
23 PATRICK E. GIBBS (183174)

24 Attorneys for Non-Party
25 TELESOFT CAPITAL, LLC

1 Dated: October 19, 2016

SECURITIES AND EXCHANGE COMMISSION

3 _____
4 /s/ John S. Yun
JOHN S. YUN

5 Attorneys for Plaintiff
6 SECURITIES AND EXCHANGE COMMISSION

7 Dated: October 19, 2016

8 GARTENBERG, GELFAND & HAYTON LLP
JOHN W. COTTON

10 _____
11 /s/ John W. Cotton
JOHN W. COTTON

12 Attorneys for Receiver

14 **E-FILER'S ATTESTATION**

16 Pursuant to Civil Local Rule 5.1(i)(3), the undersigned attests that parties to this
17 Stipulation have concurred in the filing of this STIPULATION AND [PROPOSED] ORDER
18 GRANTING NON-PARTY TELESOFT CAPITAL, LLC'S ADMINISTRATIVE MOTION TO
19 REQUEST NOTICE AND AN OPPORTUNITY TO BE HEARD.

20 DATED: October 19, 2016

21 By: /s/ Patrick E. Gibbs
Patrick E. Gibbs

1 **[PROPOSED] ORDER**

2 **PURSUANT TO STIPULATION, IT IS SO ORDER.**

3
4 Dated: October 25, 2016

